

REMARKS

After entry of the foregoing amendment, claims 1-51 are pending in the application.

An Abstract is submitted herewith.

Claims 1-40 stand rejected under §102(e) as anticipated by Nakamura (6,185,312).

It appears Nakamura is not prior art. Nakamura is understood to have an effective §102(e) prior art date as of its U.S. filing date, i.e., January 27, 1998. Nakamura is not entitled to prior art status as of its earlier Japanese filing dates (*cf.*, MPEP §2136.03).

The present application claims priority to a 1997 Australian filing.

Accordingly, it appears that Nakamura is not available as prior art. The substance of Nakamura is thus not addressed in this Response.

Claims 41-51 are added to more fully protect applicants' inventive work.

Favorable reconsideration and passage to issuance are solicited.

Date: December 19, 2003

Customer No. 23735

Phone: 503-885-9699

FAX: 503-885-9880

Respectfully submitted,

DIGIMARC CORPORATION

By

  
William Y. Conwell  
Registration No. 31,943